IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 17813 of 2007(U)

PETITIONER:

SHAMJITH M.,
HIGH SCHOOL ASSISTANT (PHYSICAL SCIENCE),
GOVERNMENT HIGH SCHOOL, IRINGALLOOR,
KOZHIKODE DISTRICT.

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SMT.N.SANTHA
SRI.K.A.BALAN
SRI.PETER JOSE CHRISTO

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF HIGHER SECONDARY
EDUCATION, HOUSING BOARD BUILDINGS, SANTHI NAGAR,
THIRUVANANTHAPURAM-1.

3. BETSY MATHEWS C.,
HIGHER SECONDARY SCHOOL TEACHER,
GOVERNMENT HIGHER SEONDARY SCHOOL, MAVOOR,
KOZHIKODE.

BY GOVT.PLEADER SMT.LAKSHMI RANI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No.17813 of 2007

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Dated this the 11th day of June, 2007.

J U D G M E N T

Petitioner who is now working as a High School Assistant (Physical Science) in a Government High School has got a grievance that his claim for promotion has been overlooked and ignored while several of his juniors have been promoted. Respondent No.3 is stated to be one such beneficiary whose name appears in Ext.P1 proceedings of respondent No.2. Though the above anomaly and illegality had been pointed out to respondent No.2 through Ext.P2 representation submitted by the petitioner through proper channel, no action was taken. Thereafter petitioner has again submitted Ext.P3 before respondent No.1 requesting for appropriate action in the matter. The limited prayer in this writ petition is to issue an appropriate direction to respondent No.2 to take a decision on Ext.P2 without any further delay.

2. Learned Government Pleader submits that if Ext.P2 has been preferred as contended by the petitioner, an appropriate decision thereon shall be taken expeditiously.

3. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.2 to consider and pass orders on Ext.P2 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within 2 months from the date of receipt of a copy of this judgment. Needless to mention that the petitioner, respondent No.3 and all others who are likely to be affected by any order that may be passed shall be afforded sufficient opportunity to be heard before any decision is taken in the matter.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance. Similarly he shall also serve copies of the above documents to respondent No.3 by registered post within 7 days from the date of receipt of a copy of this judgment, for information.

A.K. Basheer
Judge.

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